

FEDERAL REGISTER

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TABLE OF CONTENTS

Federal Power Commission:		Page
Order changing time and place of rehearing, supplemental application of:		
Pacific Gas and Electric Co.	1401	
Order setting hearing, application of:		
Sierra Pacific Power Co.	1401	
Federal Trade Commission:		
Orders appointing examiner and fixing time and place for taking testimony in matter of:		
Ralston Purina Co.	1401	
Sponge Institute, The, and Florida Sponge Packers Association	1402	
Tarpon Springs Sponge Exchange, Inc., etc.	1402	
Interstate Commerce Commission:		
Notice concerning filing of contracts and schedules of minimum charges	1404	
Supplement 2 to regulations governing construction and filing of common carrier freight rate and classification publications, and contract carrier schedules of minimum rates or charges	1402	
Rural Electrification Administration:		
Allocation of funds for loans	1404	
Rescission of fund for loan	1405	
Securities and Exchange Commission:		
Orders consenting to withdrawal of offering sheets, etc., by:		
King, Virgil O., Inc. (Carter-T. Scott Tract)	1405	
King, Virgil O., Inc. (Gulf-Scott Tract)	1405	
Orders terminating proceedings after amendment, offering sheets by:		
Landowners Royalties Co. (Big West-Engle Tract)	1406	
Witwer, L. H. (Repollo-Amerada-Texas-Phillips Tract)	1406	
Securities Exchange Act of 1934:		
Registration on an additional exchange, adoption of Form 8-C	1405	
Temporary suspension order, etc., offering sheet by:		
Cook, R. A. (Shell-Mary Whipple Tract)	1406	
Veterans' Administration:		
Revision of regulations—Disallowance and awards; determination of marital status, custody of child, etc.	1406	

[Docket No. 3025]

IN THE MATTER OF THE SPONGE INSTITUTE, AND ITS OFFICERS AND MEMBERS, AS HEREIN SET OUT; AND FLORIDA SPONGE PACKERS ASSOCIATION, A CORPORATION, AND ITS OFFICERS AND MEMBERS, AS HEREIN SET OUT

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that John L. Hornor, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Tuesday, July 13, 1937, at ten o'clock in the forenoon of that day (eastern standard time), in Room 424, Federal Trade Commission Building, 815 Connecticut Ave., Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-2090; Filed, July 7, 1937; 1:19 p.m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of July, A. D. 1937.

Commissioners: William A. Ayres, Chairman, Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3024]

IN THE MATTER OF TARPO SPRINGS SPONGE EXCHANGE, INC., A CORPORATION, AND CERTAIN OF ITS MEMBERS; AND JAMES S. SMITZES, INC., A. L. TARAPINA, JOHN FASSOL, GEORGE CLADAKIS, W. F. FERGUSON, NIC MACRENARIS, ANASTACIOS KOTIS, DIAMANDIS LEONIS, MICHAEL GONATOS, VASILIO CHRISTON

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41).

It is ordered that John L. Hornor, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Tuesday, July 13, 1937, at ten o'clock in the forenoon of that day (eastern standard time), in Room 424, Federal Trade Commission Building, 815 Connecticut Ave., Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-2089; Filed, July 7, 1937; 1:19 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Supplement No. 2 to Tariff Circular MF No. 1]

SUPPLEMENT NO. 2 TO REGULATIONS TO GOVERN THE CONSTRUCTION AND FILING OF COMMON CARRIER FREIGHT RATE AND CLASSIFICATION PUBLICATIONS AND CONTRACT CARRIER SCHEDULES OF MINIMUM RATES OR CHARGES

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 29th day of June, A. D. 1937.

IN THE MATTER OF REGULATIONS GOVERNING THE FORM, PUBLICATION AND INSPECTION OF SCHEDULES OF CONTRACT CARRIERS OF PROPERTY BY MOTOR VEHICLE

The matter of regulations governing the form, publication and inspection of schedules of contract carriers of

property by motor vehicle, filed pursuant to section 218 of the Motor Carrier Act, 1935, being under consideration and good cause appearing therefor:

It is ordered. That schedules of contract carriers or property by motor vehicle, filed pursuant to section 218 of the said act, shall be constructed, published, filed, and kept open for public inspection in accordance with regulations heretofore adopted and promulgated in Tariff Circular MF No. 1, as amended, and as modified and supplemented by Supplement No. 2, to said Tariff Circular MF No. 1;

It is further ordered. That the said Supplement No. 2 to said Tariff Circular MF No. 1 be, and it is hereby, approved and made effective July 15, 1937.

By the Commission, division 5.

[SEAL]

W. P. BARTEL, Secretary.

SECTION 2

CONTRACT CARRIER SCHEDULES¹

Rule 7. Publication, Filing and Posting of Schedules

(a) *Schedules must be filed by contract carriers.*—Effective copies of written contracts or memoranda of oral contracts or schedules previously filed by contract carriers shall, within 120 days from the effective date of this supplement, be canceled by schedules conforming to the regulations set forth herein. On and after July 15, 1937, contract carriers shall, under section 218 of the Motor Carrier Act, 1935, file only schedules, which schedules shall conform to these regulations. (This should not be confused with the requirement contained in Ex Parte No. MC-9 that copies of contracts shall be filed under section 220 (a).)

(b) *Agency or joint schedules not permitted.*—Schedules of minimum rates or charges shall be published and filed in the name of the individual carrier performing the transportation service subject to such rates or charges. Schedules may not be filed in the name of an agent, nor may contract carriers participate by concurrence in rates named in any schedule filed by another such carrier.

(c) *Schedules must contain all relevant provisions.*—Schedules shall contain all of the minimum rates and charges, and also the rules and other provisions applicable to services covered thereby; and reference shall not therein be made to other publications for any provision affecting the rates or charges (or the method of applying them), except that, after having secured express authority from this Commission to do so, carriers may include in schedules naming rates based on distances reference to a separate publication on file with this Commission containing such distances.

(d) *Number of copies filed.*—Issuing carriers shall file with the Commission three copies of each schedule, supplement, or revised page of a schedule. All copies shall be included in one package accompanied by a letter of transmittal (in duplicate if a receipt is desired) listing the publications enclosed, which shall be addressed to the Interstate Commerce Commission, Bureau of Motor Carriers, Section of Traffic, Washington, D. C. All postage or other charges must be prepaid.

(e) *Posting of schedules.*—Schedules shall be posted in the same manner as is provided in Rule 6 of Tariff Circular MF No. 1.

(f) *Special permissions.*—No deviation from the regulations relative to publication and filing of schedules will be permitted, except that the Commission may in its discretion grant specific authority for waiving any of such regulations in response to an application presented in the manner set forth in Rule 9 of Supplement No. 1, Tariff Circular MF No. 1, if such application appears to present sufficient justification for such authority.

Rule 8. Form and Contents of Schedules

(a) *Form and manner of preparation.* All schedules and supplements thereto shall be in book, pamphlet or loose-leaf

form of size 8 x 11 inches. They shall be plainly printed, mimeographed, planographed, stereotyped, or reproduced by other similar durable process on paper of good quality. Schedules and supplements thereto filed and posted shall contain no alteration or erasure of the contents of such publications. A margin of not less than five-eighths of an inch without any printing thereon shall be allowed at the binding edge of each schedule or supplement.

(b) *Required notice.*—Except as otherwise provided herein or unless otherwise authorized by the Commission, all schedules and supplements thereto, which supersede rates and charges previously published and filed with this Commission and which result in reductions in previously filed rates and charges shall be filed and posted at least 30 days prior to the effective date thereof.

(c) *Title page.*—Each schedule submitted for filing shall show on the upper right-hand corner of the front cover or title page the MF-I. C. C. number of the schedule. All schedules shall be numbered consecutively beginning with the MF-I. C. C. number next higher than the last number used on a publication of rates, charges or rules filed by the same carrier with this Commission. If the issuing carrier shall have previously filed with this Commission no publication of rates, charges or rules, the first schedule issued shall bear MF-I. C. C. No. 1 and subsequent publications shall be numbered consecutively. Schedules which supersede publications previously filed shall indicate the cancellation of the superseded publication or publications in the manner shown in Rule 2 (a), Tariff Circular MF No. 1.

(d) *Name of carrier.*—The name of the carrier issuing the schedule shall be shown in the upper central portion of the title page and such name shall be the same as that appearing in the carrier's permit (or application if no permit has been issued). If the carrier is not a corporation and a trade name is used, the name of the individual or partners shall precede the trade name in the manner shown in Rule 2 (c) of Tariff Circular MF No. 1. Following the carrier's name there shall be shown the permit number or, if the application shall have not been decided, the docket number of the carrier's application for a permit.

(e) *Territory served.*—On the title page of the schedule, immediately under the carrier's name and permit or docket number shall be shown a brief description of the territories in which, or points from and to which the minimum rates or charges named in the schedule will apply.

(f) *Issued and effective dates.*—Under the territorial description, on the left-hand side of the title page, the date of issue shall be shown; and on the right-hand side, opposite the date of issue, the effective date shall be shown.

(g) *Issuing officer.*—At the bottom of the title page, under the issued and effective dates, there shall be shown the name, title, and street address of the individual or the officer by whom the schedule is issued. The title "Agent" should not be used.

(h) *Supplements.*—Supplements shall be numbered consecutively beginning with number one, the supplement number being placed in the upper right-hand corner of the title page. Underneath the supplement number shall be shown the MF-I. C. C. number of the schedule amended thereby. When a supplement cancels a previous supplement (or the schedule itself), the cancellation notice shall be shown in the manner prescribed in Rule 2 (b) of Tariff Circular MF No. 1.

(i) *List of parties with whom carrier has contracts.*—At the top of the page immediately following the title page shall be shown the name and address of each party with whom carrier has a contract and for whom property is transported under the provisions of the schedule.

(j) *Table of contents.*—Following the list of contracting shippers shall be shown a table of contents arranged in alphabetical order indicating the number of the page on which each subject may be found. If the schedule contains so small a volume of matter that its title page or interior arrangement plainly discloses its contents, the table of contents may be omitted.

¹ Rules 7 and 8 of this supplement cancel Rules 7 and 8, Pages 4 and 5 of Tariff Circular MF No. 1.

FEDERAL REGISTER, July 9, 1937

(k) *Index of commodities.*—A complete index of all the commodities on which rates and charges are shown in the schedule shall follow the table of contents and shall indicate the page number on which rates for each commodity will be found. If no table of contents appears, the index of commodities shall be shown immediately after the list of contracting parties. If the number of commodities involved is small, no index need be shown in a schedule, provided the commodities are arranged in alphabetical order in the tables of minimum rates and charges.

(m) *Index of points.*—When a schedule names minimum rates or charges from and to specific points, an index of the points, together with the States in which they are located, shall be shown immediately following the index of commodities, with reference to the page on which the various points will be found in the table of minimum rates or charges.

(n) *Abbreviations and symbols.*—Where abbreviations, symbols or reference marks are used in a schedule, they shall be explained on each page on which they appear, except that, where the same abbreviation, symbol or reference mark is used throughout the schedule with the same explanation, this information may be shown under a general explanation following the index of points.

(o) *Rules.*—Any rules or other provisions affecting the application of the minimum rates or charges shall be shown following the general explanation of abbreviations, symbols and reference marks and preceding the tables of minimum rates or charges. Each rule shall be given a separate number.

(p) *Tables of minimum rates or charges.*—The tables of minimum rates or charges shall be shown immediately following the rules. The commodities on which the rates or charges apply shall be shown on the same page on which the rates or charges are published or there shall be shown on such page a statement of the page or item containing a list or description of such commodities. Minimum rates or charges shall be published on only such commodities and from and to only such points as are included in actual contracts for transportation. Tables of minimum rates or charges shall be arranged alphabetically by points of origin and destination, except that, if it is desired to group points by States, they may be arranged in alphabetical order by States, the points in each State also being shown in alphabetical order. The minimum rates or charges shall be stated in cents or in dollars and cents per 100 pounds, per mile, per hour, per cubic foot, per ton of 2,000 pounds, per ton of 2,240 pounds, per truckload (of stated amount), or other definable measure.

Schedules shall clearly show the points from and to which the minimum rates and charges apply, or indicate briefly by territorial description the territory within which they apply. If minimum rates or charges are determined by use of distances, schedules shall show the distances from and to the points from and to which the minimum rates or charges apply, or shall indicate a definite method by which the distances shall be determined (see Rule 7 (c) of this supplement).

(q) *Changes in minimum rates or charges.*—Minimum rates or charges which have been filed with the Commission shall be permitted to become effective and remain in effect for a period of 30 days before they may be reduced by the publication and filing of a new schedule or supplement. Schedules or supplements thereto which do not reduce the minimum rates or charges formerly filed with the Commission may become effective not earlier than the date on which they are received by the Commission, but a specific effective date must be shown which shall not be prior to the effective date of rates or charges previously filed having the same application. Changes in minimum rates or charges appearing in schedules shall be indicated in the manner prescribed in Rule 5 (b) of Tariff Circular MF No. 1.

[F. R. Doc. 37-2098; Filed, July 8, 1937; 12:30 p. m.]

NOTICE

FILING OF CONTRACTS AND SCHEDULES OF MINIMUM CHARGES

JULY 7, 1937.

In order that there be no misunderstandings in regard to the Commission's Orders in Ex Parte Nos. MC 9 and 12, and the requirements in the recently released Supplement No. 2 to Tariff Circular MF No. 1, it should be summarized as follows:

(1) Ex Parte No. MC 12¹ states in effect that after July 1, 1937, contract carriers may not transport property unless they have bilateral contracts complying with that Order.

(2) Ex Parte No. MC 9² requires that a true copy of bilateral contracts (as required in Ex Parte No. MC 12) in force on July 15, 1937, must be submitted to the Commission on or before that date. If contract carriers enter into bilateral contracts on or after July 15, such contracts must be submitted within twenty days after their effective date.

(3) Ex Parte No. MC 9 requires that in addition to submitting to the Commission a true copy of such contracts (one copy is sufficient) contract carriers shall file schedules of minimum rates and charges in the manner and form required in Supplement No. 2 to Tariff Circular MF No. 1.

While the Commission requires contract carriers to submit one true copy of each and every contract in accordance with (1) and (2) above, these contracts will not be open for public inspection and are required for the Commission's information only and, therefore, such true copies submitted are not subject to the requirements as to title page, size, form or carrier's MF-I. C. C. series or any other rules contained in the Commission's Tariff Circular.

The submission of a true copy of bilateral contract does not relieve contract carriers from having their schedules of minimum rates on file with this Commission, and kept open for public inspection at their principal places of business, in accordance with Section 218 of the Act. Supplement No. 2 to Tariff Circular MF No. 1 has been issued to guide contract carriers in the preparation of schedules, or the reissuance in the form of schedules of all copies of written contracts or memoranda of oral contracts already filed under the provisions of Section 218, or the reissuance of schedules of minimum rates and charges that are now on file but do not conform to our requirements.

Carriers who have already filed copies of written contracts or memoranda of oral contracts that are *in fact* bilateral contracts, need not file an additional copy of such contracts as outlined in (a), though they are required to file schedules as outlined in (b), below.

Briefly, the Commission requires (a) the submission of ONE *true copy of bilateral contracts* that will be held in the Commission's confidential files, and (b) the filing of THREE *copies of schedules of minimum rates and charges* that comply with the requirements contained in Supplement No. 2 to Tariff Circular MF No. 1. These schedules will be open for public inspection as they have been in the past.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 37-2097; Filed, July 8, 1937; 12:30 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 113]

ALLOCATION OF FUNDS FOR LOANS

JULY 3, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for

¹ 2 F. R. 887 (DI).

² 2 F. R. 152, 259, 374, 1005 (DI).

loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Arkansas 8013A Johnson (partial)	\$200,000

JOHN M. CARMODY, Administrator.

[F. R. Doc. 37-2092; Filed, July 8, 1937; 9:39 a. m.]

[Administrative Order No. 114]

RESCISSON OF ALLOCATION OF FUND FOR LOAN

JULY 6, 1937.

I hereby amend Administrative Order No. 107, dated June 10, 1937,¹ by rescinding the allocation of \$4,000 for the project, Colorado 7W Mesa. This action is being taken because the applicant was unable to comply with the requirements of the Legal Division.

JOHN M. CARMODY, Administrator.

[F. R. Doc. 37-2093; Filed, July 8, 1937; 9:39 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

ADOPTION OF FORM 8-C FOR REGISTRATION ON AN ADDITIONAL EXCHANGE

The Securities Exchange Commission, finding

(1) that the requirements of Form 8-C, as defined in the instructions to that form, are necessary and appropriate in the public interest and for the protection of investors, and that, insofar as the information required by such form is not within the provisions of Section 12 (b) of the Securities Exchange Act of 1934, it is of a character comparable to such information and is applicable to the class of issuers and securities for which such form is authorized; and

(2) that the exhibits required by Form 8-C are necessary and appropriate for the proper protection of investors and to insure fair dealing in the securities registered on such form.

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby adopts Form 8-C.²

AMENDMENT TO RULE JB1

The Securities and Exchange Commission, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby amends Rule JB1 by inserting immediately after the Rule for the Use of Form 8-B the following Rule for the Use of Form 8-C:

Form 8-C for Registration on an Additional Exchange.—This form may be used for applications for registration of securities on an exchange upon which no securities of the registrant are listed and registered, if

(a) Securities of the registrant are registered pursuant to Section 12 (b), (c) and (d) on another exchange, and
 (b) An application on a form other than Form 7, 8-A, 8-B, or 8-C, filed by the registrant (or by the predecessor of the registrant if the registrant had securities registered pursuant to an application on Form 8-B) became effective on such other exchange not more than three years before the filing of this application.

The foregoing action shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2099; Filed, July 8, 1937; 12:47 p. m.]

¹ 2 F. R. 1204 (DI).

² Filed with the Division of the Federal Register, The National Archives; copies available upon application to the Securities and Exchange Commission.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF ROYALTY INTEREST IN THE CARTER-T. SCOTT TRACT, FILED ON JUNE 14, 1937, BY VIRGIL O. KING, INC., RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest,

It is ordered that consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered that the Temporary Suspension Order heretofore entered³ in this proceeding be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2102; Filed, July 8, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF ROYALTY INTERESTS IN THE GULF-SCOTT TRACT, FILED ON JUNE 14, 1937, BY VIRGIL O. KING, INC., RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest.

It is ordered that consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered that the Temporary Suspension Order heretofore entered³ in this proceeding be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2101; Filed, July 8, 1937; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July, A. D., 1937.

¹ 2 F. R. 1292 (DI).

² 2 F. R. 1279 (DI).

FEDERAL REGISTER, July 9, 1937

IN THE MATTER OF AN OFFERING SHEET OF NON-PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE BIG WEST-ENGLE TRACT, FILED ON JUNE 21, 1937, BY LANDOWNERS ROYALTIES COMPANY, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered¹ in this proceeding:

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on July 2, 1937, be effective as of July 2, 1937.

It is further ordered that the Temporary Suspension Order heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2104; Filed, July 8, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE REPOLLO-AMERADA-TEXAS-PHILLIPS TRACT, FILED ON JUNE 4, 1937, BY L. H. WITWER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered² in this proceeding:

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 30, 1937, be effective as of June 30, 1937.

It is further ordered that the Temporary Suspension Order heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2103; Filed, July 8, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE SHELL-MARY WHIPPLE TRACT, FILED ON JUNE 30, 1937, BY R. A. COOK, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the

offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the smallest fractional interest to be offered by means of the offering sheet, as set forth in Division II, Item 1, is not stated in terms of the total production from the entire tract;

(2) In that the percentage of water from fluid produced, as set forth in Division II, Item 20 (b), is not believed to be correct;

(3) In that in Division II, Item 20 (e), the actual net monthly pay-off for the smallest interest offered is required to be given, whereas from the amounts set forth it appears that the pro rata portion of the taxes to which such interest is subject has not been deducted;

NOTE.—It appears that the information contained in the table immediately following Division II, Item 20, should be set forth in the column of the appropriate table under Division II, Item 20 (e);

(4) In that the second paragraph of representations required to be included in the offering sheet, is omitted;

(5) In that the proposed instrument of conveyance attached to the offering sheet as "Exhibit B" is incomplete by reason of the fact that the smallest interest to be offered is omitted;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2100; Filed, July 8, 1937; 12:48 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

DISALLOWANCE AND AWARDS

Determination of Marital Status, Custody of Child or Children, or Continuance of Dependency

R-1286. When in any case wherein compensation, pension, or emergency officers retirement benefits are being paid, it is deemed necessary to determine the current facts in regard to the marital status of the veteran, custody of child or children, or dependency of parent of parents, the

¹2 F. R. 1348 (DI).

²2 F. R. 1208 (DI).

necessary evidence will be requested and, when received, appropriate adjustment will be made in accordance with the facts disclosed pursuant to the provisions of law and the regulations and instructions based thereon. If the necessary information is not received within a reasonable time from the date of request therefor appropriate action will be taken to effect an adjustment on the basis of a single man without dependents, or through a discontinuance of benefits to the payee or payees, wife, child or children, or dependent parent or parents, as may be required by the facts. If the necessary evidence or information is thereafter received within one year from the date of request therefor, a readjustment may be made or the payment of benefits

resumed, if otherwise in order, from the effective date of the adjustment or discontinuance previously necessitated by the non-receipt of the desired data. If the necessary evidence or information is not received within one year from the date of request therefor, the adjustment or resumption of payments will not be authorized prior to the date of receipt of the evidence or information. (July 8, 1937.) (Public No. 844, 74th Congress.)

R-1287-1291 canceled July 8, 1937.

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

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